
No. 25-4527

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

J.C., *et al.*,
Plaintiffs-Appellees,

v.

KRISTI NOEM, in her official capacity, Secretary, U.S. Department
of Homeland Security, *et al.*,
Defendants-Appellants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
No. 4:25-cv-03502
The Hon. Jeffrey S. White

**DEFENDANTS-APPELLANTS' MOTION
FOR EXTENSION OF TIME TO FILE OPENING BRIEF**

BRETT A. SHUMATE
Assistant Attorney General

GLENN M. GIRDHARRY
Acting Deputy Director

ALEXANDRA SCHULTE
Senior Litigation Counsel

ALESSANDRA FASO
Acting Assistant Director
United States Department of Justice
Civil Division
Office of Immigration Litigation
General Litigation and Appeals Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Phone: (202) 305-9855
Fax: (202) 305-7000
e-mail: alessandra.faso@usdoj.gov

Attorneys for Defendants-Appellants

Defendants-Appellants (“the Government”), through undersigned counsel, respectfully move this Court for an extension of time of forty-five (45) days to file the opening brief in this case in accordance with Rule 26(b) of the Federal Rules of Appellate Procedure and Circuit Rule 31-2.2. Appellants’ brief is currently due on August 19, 2025. If the Court grants this extension, Appellants’ opening brief would be due on October 3, 2025. Defendants-Appellants’ reasons for the extension are set forth in the attached declaration.

Defendants-Appellants also move the Court to waive the seven-day requirement of Circuit Rule 31-2.2(b) for the reasons stated in the declaration.

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General

GLENN M. GIRDHARRY
Acting Deputy Director

ALEXANDRA SCHULTE
Senior Litigation Counsel

By: /s/ Alessandra Faso
ALESSANDRA FASO
Acting Assistant Director
United States Department of Justice, Civil Division
Office of Immigration Litigation
General Litigation and Appeals Section
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Phone: (202) 305-9855; Fax: (202) 305-7000
e-Mail: alessandra.faso@usdoj.gov

Dated: August 18, 2025

Attorneys for Defendants-Appellants

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2025, I electronically filed the foregoing with the Clerk of the Court by using the appellate CM/ECF system. Counsel of record are registered CM/ECF users.

/s/ Alessandra Faso
ALESSANDRA FASO
Acting Assistant Director
U.S. Department of Justice